

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

TRISTAR INVESTORS, INC.,

Plaintiff,

v.

**AMERICAN TOWER CORPORATION,
et al.,**

Defendants.

AMERICAN TOWER, LLC, et al.,

Counter-Plaintiffs.

v.

TRISTAR INVESTORS, INC., et al.,

Counter-Defendants.

CIVIL ACTION NO. 3:12-CV-499-M

THIRD JOINT SUBMISSION REGARDING SETTLEMENT DISCUSSIONS

Pursuant to Paragraph 10 of the Amended Scheduling Order [Doc. 196], the Parties submit this Third Joint Submission Regarding Settlement Discussions and respectfully report as follows:

On October 17, 2013, the parties and their counsel spent a full day mediating the case with Professor Stephen Saltzburg. Despite best efforts, the parties were unable to settle the case during the mediation.

On December 27, 2013, Matthew Stammel, counsel for TriStar, and Jon Shepherd, counsel for American Tower, conferred via telephone about additional settlement discussions.

Mr. Stammel and Mr. Shepherd agreed that it made most sense to revisit settlement negotiations after some or all of the pending motions are resolved.

Respectfully submitted,

/s/ Matthew R. Stammel

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CERTIFICATE OF SERVICE

I hereby certify that on January 2, 2014, I electronically filed the foregoing Joint Submission with the Clerk of the Court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the Court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys who have consented in writing to accept this notice as service of this document by electronic means.

/s/ Tyler J. Bexley_____